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You stated that this would require a new examination and another fee. It seems to me that this would also fall under the providence of the Manual of Patent Examining Procedure Section 707.07(j) so I don't understand the requirement for a second fee. As you know I was in dispute with the Patent Office for almost a year because the Patent Office mistakenly stated that the claims were not provided on a separate sheet of paper from the filed document. It is difficult for me to understand how this happened since the cover letter on that amendment clearly stated the claims were included on a separate page. The exact wording from my letter is provided below:

Attached is the original clarification filed on May 5, 2005 with and an amendment to include the patent claims on a separate sheet. The claims are identified as being original and currently amended as required.

After much frustration on my part, the Patent Office agreed that they made a mistake which brings us to where we are today. This appears to be happening in another fashion now. The Beckstead memo governing status identifiers expressly states "status identifiers are not mutually exclusive". The identifier "withdrawn", meaning to be removed from consideration, is proper yet it has been denied. These delays have prohibited me from bringing my product to market directly compromising my livelihood.

The Patent Office has failed to properly observe the Manual of Patent Examining Procedure, Section 707.07(j) . The Patent Office has also published my patent making it public domain and, if this patent is not awarded to me, has damaged my company, possibly beyond repair. These items are actionable and I will address them to the Commissioner for Patents, my Congressmen, the Attorney General, and to the President of the United States. If I do not receive notification that the patent will move forward by Friday July 20, 2007 I will pursue the matter as stated.

My simple goal is to receive my patent which has claims that are recognized in writing by the Patent Office as being unique. If the Patent Office agrees to award this patent I will pursue no further remediation and I will presently file to include the claims you wish more time to review.

The Patent Office's predisposal to deny a patent even when claims have been accepted as unique is improper. The default action of assuming a patent to be abandoned should be changed to awarding any patent that has proven claims. Citizens pay the Patent Office to file and it is the obligation of the Patent Office to award a patent if any claim is found to be valid, not to deny the patent because all claims were not accepted. How can the Patent Office justify denying a patent that has claims it says are valid?

Sincerely,

Roger Guérard

Roger Guerard, Naval Architect
Sea Island Marine Engineering, Inc.
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CC Congressman Joe Wilson from South Carolina